

1 AN ACT in relation to pharmacy.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Pharmacy Practice Act of 1987 is amended  
5 by changing Section 15 as follows:

6 (225 ILCS 85/15) (from Ch. 111, par. 4135)

7 Sec. 15. Pharmacy requirements. It shall be unlawful for  
8 the owner of any pharmacy, as defined in this Act, to operate  
9 or conduct the same, or to allow the same to be operated or  
10 conducted, unless:

11 (a) It has a licensed pharmacist, authorized to practice  
12 pharmacy in this State under the provisions of this Act, on  
13 duty whenever the practice of pharmacy is conducted, and  
14 complies with the rules of the Department regulating  
15 staffing, workloads, and working conditions;

16 (b) Security provisions for all drugs and devices, as  
17 determined by rule of the Department, are provided during the  
18 absence from the licensed pharmacy of all licensed  
19 pharmacists. Maintenance of security provisions is the  
20 responsibility of the licensed registered pharmacist in  
21 charge; and

22 (c) The pharmacy is licensed under this Act to do  
23 business.

24 The Department shall, by rule, provide requirements for  
25 each division of pharmacy license and shall, as well provide  
26 guidelines for the designation of a registered pharmacist in  
27 charge for each division.

28 Division I. Retail Licenses for pharmacies which are  
29 open to, or offer pharmacy services to, the general public.

30 Division II. Licenses for pharmacies whose primary  
31 pharmacy service is provided to patients or residents of

1 facilities licensed under the Nursing Home Care Act or the  
2 Hospital Licensing Act, or "An Act in relation to the  
3 founding and operation of the University of Illinois Hospital  
4 and the conduct of University of Illinois health care  
5 programs", approved July 3, 1931, as amended, and which are  
6 not located in the facilities they serve.

7 Division III. Licenses for pharmacies which are located  
8 in a facility licensed under the Nursing Home Care Act or the  
9 Hospital Licensing Act, or "An Act in relation to the  
10 founding and operation of the University of Illinois Hospital  
11 and the conduct of University of Illinois health care  
12 programs", approved July 3, 1931, as amended, or a facility  
13 which is operated by the Department of Human Services (as  
14 successor to the Department of Mental Health and  
15 Developmental Disabilities) or the Department of Corrections,  
16 and which provide pharmacy services to residents or patients  
17 of the facility, as well as employees, prescribers and  
18 students of the facility.

19 Division IV. Licenses for pharmacies which provide or  
20 offer for sale radioactive materials.

21 Division V. Licenses for pharmacies which hold licenses  
22 in Division II or Division III which also provide pharmacy  
23 services to the general public, or pharmacies which are  
24 located in or whose primary pharmacy service is to ambulatory  
25 care facilities or schools of veterinary medicine or other  
26 such institution or facility.

27 The Director may waive the requirement for a pharmacist  
28 to be on duty at all times for State facilities not treating  
29 human ailments.

30 It shall be unlawful for any person, who is not a  
31 licensed pharmacy or health care facility, to purport to be  
32 such or to use in name, title, or sign designating, or in  
33 connection with that place of business, any of the words:  
34 "pharmacy", "pharmacist", "pharmacy department",

1 "apothecary", "druggist", "drug", "drugs", "medicines",  
2 "medicine store", "drug sundries", "prescriptions filled", or  
3 any list of words indicating that drugs are compounded or  
4 sold to the lay public, or prescriptions are dispensed  
5 therein. Each day during which, or a part which, such  
6 representation is made or appears or such a sign is allowed  
7 to remain upon or in such a place of business shall  
8 constitute a separate offense under this Act.

9 The holder of any license or certificate of registration  
10 shall conspicuously display it in the pharmacy in which he is  
11 engaged in the practice of pharmacy. The registered  
12 pharmacist in charge shall conspicuously display his name in  
13 such pharmacy. The pharmacy license shall also be  
14 conspicuously displayed.

15 The Department may adopt rules regulating staffing,  
16 workloads, and working conditions in pharmacies, as it deems  
17 appropriate.

18 (Source: P.A. 89-507, eff. 7-1-97; 90-253, eff. 7-29-97.)

19 Section 99. Effective date. This Act takes effect upon  
20 becoming law.